

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

JENNIFER ANN FEDOREK,
Plaintiff

V.

**WARDEN RONALD SNYDER, et al.,
Respondents.**

**C.A. No. 05-186 Erie
District Judge McLaughlin
Magistrate Judge Baxter**

ORDER

AND NOW, this 14th day of March, 2006;

IT IS HEREBY ORDERED that Plaintiff's "Declaration for Entry of Default" [Document # 15] is DENIED. According to the docket entries in this case, Respondent was not served with the Complaint until February 23, 2006, and subsequently filed a motion to dismiss on March 7, 2006, within twenty days of service. Thus, Plaintiff's request for entry of default judgment, which requests the entry of default judgment against Defendants, is moot.

IT IS FURTHER ORDERED that the parties are allowed ten (10) days from this date to appeal this order to a district judge pursuant to Local Rule 72.1.3 B. Failure to appeal within ten (10) days may constitute waiver of the right to appeal.

S/Susan Paradise Baxter
SUSAN PARADISE BAXTER
Chief U.S. Magistrate Judge